

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Senior District Judge Richard P. Matsch**

Date: March 31, 2009
Courtroom Deputy: J. Chris Smith
FTR Technician: Kathy Terasaki

Civil Action No. 08-cv-01291-RPM

AMKOR NATURAL GAS COMPANY,

Denise Riley

Plaintiff,

v.

SPARK ENERGY GAS, LP, a Texas limited partnership,

Paul R. Franke, III

Defendant and Third-Party Plaintiff,

v.

MICHAEL GREGORY, a Colorado resident,
RHETT C. SHUMWAY, a Colorado resident,
RnD ENERGY, LLC, a Colorado limited liability company and
ASGARD ENERGY, LLC, a Colorado limited liability company,

Denise Riley
Christine M Garrison

David Palmer
Cuneyt A. Akay

Third-Party Defendants.

COURTROOM MINUTES

Hearing on Pending motions

2:00 p.m. Court in session.

Court's preliminary remarks.

2:03 p.m. Argument by Mr. Franke.
2:17 p.m. Argument by Ms. Riley.
2:23 P.M. Argument by Ms. Garrison.

Court instructs Ms. Garrison to inform Mr. Shumway to arrange a trip to Denver for a deposition.

2:27 p.m. Statement by Mr. Palmer.

ORDERED: Spark's Energy Gas, LP's Motion for Leave to File Third Amended Counterclaims and Third-Party Complaint, filed January 26, 2009 [41], is granted. All counterclaims no third party complaint.

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2:28 p.m. Further Argument by Ms. Riley.
2:29 p.m. Further Argument by Mr. Franke.

ORDERED: Sparks Energy Gas, LP's Motion to Amend the Scheduling Order, filed March 27, 2009 [58], is granted.

Counsel to submit in paper format directly to chambers a proposed scheduling order, that focuses on the relationships and holds off on damage discovery, by 4:00 p.m., April 10, 2009.

No expert witness discovery permitted.

No subpoenas permitted to be served regarding third-party discovery.

ORDERED: Third-Party Defendant Asgard Energy, LLC's Joinder in Third-Party Defendant Rhett C. Shumway and RnD Energy, LLC's Response to Spark Energy Gas, LP's Motion to Amend the Scheduling Order, filed March 30, 2009 [61], is granted.

ORDERED: Stipulation for Extension of Time to Answer Discovery, filed January 29, 2009 [42], is moot.

ORDERED: Third Party Defendant Rhett C. Shumway and RnD Energy, LLC's Joinder in Opposition to Defendant's Motion for Leave to File Third Amended Counterclaims and Third-Party Complaint, filed February 17, 2009 [50], is denied.

ORDERED: Amkor Natural Gas Company and Michael Gregory 's Motion to Strike Spark Natural Gas, LP's Impermissible Filing of Its Third Amended Counterclaims and Third Amended Counterclaims and Third-Party Complaint, filed February 17, 2009 [51], is denied.

ORDERED: Third- Party Defendants Rhett C. Shumway and RnD Energy, LLC's Joinder in Defendants Amkor Natural Gas Company and Michael Gregory's Motion to Strike Spark Natural Gas, LP's Impermissible Filing of its Third Amended Counterclaims and Third-Party Complaint, filed February 18, 2009 [52], is denied.

2:32 p.m. Court in recess.

Hearing concluded. Total time: 32 min.